

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANDINA PROPERTY, LLC,

Plaintiff,

v.

LAURA FOX,

Defendant.

Case No. [24-cv-07931-SI](#)

**ORDER ADOPTING REPORT AND
RECOMMENDATION, AND
REMANDING CASE TO STATE
COURT**

Re: Dkt. Nos. 2, 3, 4, 6

United States District Court
Northern District of California

On November 15, 2024, Magistrate Judge Thomas Hixson issued a Report and Recommendation in this action that defendant Laura Fox (also known as Laura-Elizabeth Fox) removed from state court. Dkt. No. 6. The parties had 14 days from service of the Report and Recommendation to serve and file any objections. Fed. R. Civ. P. 72; *see also* Fed. R. Civ. P. 6(d) (extending deadline by 3 days when a party is served by mail). The deadline to object has passed, and no objections have been received.

The Court has reviewed this case *de novo* (from the beginning) and agrees with Judge Hixson that this Court has no jurisdiction because the original complaint brought only state law claims and the parties are both citizens of California. Therefore, there is no federal question jurisdiction and no diversity jurisdiction.

Accordingly, the Court **ADOPTS** the Report and Recommendation at Dkt. No. 6 in full. This case is **REMANDED** to San Francisco County Superior Court.

The applications for leave to proceed *in forma pauperis* (without prepayment of the court filing fee) are dismissed as moot. *See* Dkt. Nos. 2, 3, 4. In light of the remand, the Court finds no

filing fee is due.

IT IS SO ORDERED.

Dated: December 6, 2024

A handwritten signature in black ink, reading "Susan Illston", written over a horizontal line.

SUSAN ILLSTON
United States District Judge